



PUBLIC NOTICE

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DA 04-946
Released: April 5, 2004

WIRELESS TELECOMMUNICATIONS BUREAU REPORTS ON ACCOMPLISHMENTS IN REDUCING BACKLOGS IN THE MULTIPOINT DISTRIBUTION SERVICE AND THE INSTRUCTIONAL TELEVISION FIXED SERVICE

Two years ago,¹ as part of a Commission-wide reorganization, the Wireless Telecommunications Bureau (Bureau) assumed administrative responsibility for the Instructional Television Fixed Service (ITFS), the Multipoint Distribution Service (MDS), and the Multichannel Multipoint Distribution Service (MMDS) (collectively, the Services). Prior to the Transition Date, the Services used the licensing database known as the Broadband Licensing System (BLS).

The Bureau's goals in administering the Services are to (a) reduce the backlog of pending matters; (b) verify the accuracy of our licensing records; and (c) transition these services to the Universal Licensing System (ULS). This Public Notice reports on the Bureau's successes and accomplishments in reaching the three goals we have outlined in connection with administering the Services.

Backlog of Legal Matters Sharply Reduced. On the Transition Date, the Bureau received 215 pending legal matters (*e.g.*, petitions to deny, petitions for reconsideration, etc.) Over 120 of those 215 cases were more than three years old at the time of the transfer. The Bureau began to resolve expeditiously the pending cases. On October 18, 2002, the Bureau released a Public Notice in which it sought to ensure that it had a complete and accurate listing of all pending legal matters in the Services.² For legal matters with a filing date before the Transition Date, the Bureau required that licensees, applicants, and other parties with pending pleadings respond in writing by December 17, 2002 if they desired that the Bureau continue processing these matters. In response to that Public Notice, the Bureau received 80 additional legal matters that were not previously in its files.

As of this date, the Bureau's former Public Safety and Private Wireless Division and current Broadband Division (Divisions) and/or the Commission have issued rulings resolving over 90% of the legal matters that were transferred to the Bureau — in all, there have been decisions on 196 of the 215 cases. Similarly, the Divisions and/or the Commission have also issued rulings on 80% of the legal matters that the Division received in response to the public notice — in all, 64 of the 80 cases were resolved. Moreover, action was taken on 97 legal matters that were filed after the Transition Date. In all,

¹ The date of the transfer, March 25, 2002, is referred to herein as the "Transition Date."

² Wireless Telecommunications Bureau Seeks to Verify ITFS, MDS, and MMDS Pending Legal Matters, *Public Notice*, DA 02-2752, 17 FCC Rcd 20543 (WTB 2002).

the Divisions, Bureau, and Commission have acted on 357 pending legal matters relating to the Services since March 25, 2002.

Application and License Records Updated and Verified. Prior to the Transition Date, the Commission utilized the Broadband Licensing System (BLS) as the licensing database for the Services. In preparation for the wholesale transfer of the records to ULS, the Bureau underwent an effort to correct the information contained within the BLS to ensure that the new database was populated with accurate, current and comprehensive information. To this end, the Bureau released a Public Notice, on October 18, 2002, requiring all licensees and applicants in the Services to review and verify important licensing information.³.

In response to that Public Notice, the Bureau received over 5,000 corrections. In essence, these corrections amount to approximately half of all the licensing records for the Services. These corrections, however, were not always self-executing. In many cases, Division staff requested that the licensees provide supporting documentation. To date, virtually all of the filed corrections have been processed.

Transition from BLS to ULS Completed. The Bureau has completed its multi-phase transition of the services from BLS to ULS.⁴ On October 11, 2002, the Bureau suspended electronic filing for sites licensed in the Services.⁵ The Bureau took that action to improve the integrity of data in the BLS, prepare for converting the Services to ULS, and facilitate future enhancements to electronic filing.⁶ The Bureau also created a transitional ULS database for licensing data in the Services so that the license data could be stored in a format that is compatible with ULS. Conversion of these services to ULS took place on February 17, 2004.

The transition to ULS encourages applicants/licensees to electronically file certain application requests. For example, ULS allows electronic filing for a request to renew a station authorization, request a duplicate authorization, cancel an authorization, update licensee administrative information (name, address, contact) or withdraw a pending application. Current ULS users are familiar with the database, including filing procedures, search routines and database downloads, thereby minimizing adverse impact to the public. This migration will promote efficiency by ensuring that all licensed Wireless Radio Services are at a single location with similar filing procedures and data retrieval options.

The Bureau remains committed to continue its efforts to avoid backlog, ensure database accuracy, and employ efficient licensing schemes. For questions relating to this Public Notice, please contact John J. Schauble, Deputy Chief, Broadband Division at 202-418-2487.

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³ Wireless Telecommunications Bureau Seeks to Verify ITFS, MDS, and MMDS License Status and Pending Applications on October 18, 2002, *Public Notice*, 17 FCC Rcd 20538 (WTB 2002).

⁴ Wireless Telecommunications Bureau to Complete Conversion of MDS, MMDS, and ITFS Services to the Universal Licensing System, *Public Notice*, 19 FCC Rcd 2716 (WTB 2004).

⁵ Wireless Telecommunications Bureau Suspends Electronic Filing for the Broadband Licensing System on October 11, 2002, *Public Notice*, 17 FCC Rcd 18365 (WTB 2002).

⁶ *Id.*